



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3123

MAY 13 2019

SUPERFUND &  
EMERGENCY  
MANAGEMENT DIVISION

John Tippetts, Director  
Idaho Department of Environmental Quality  
1410 N. Hilton  
Boise, Idaho 83706

Re: Notice of Negotiations Pursuant to CERCLA Section 121(f)(1)(F)

Dear Director Tippetts,

The purpose of this letter is to provide notice to the State of Idaho, pursuant to Section 121(f)(1)(F) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 121(f)(1)(F) and 40 C.F.R. § 300.520, that the U.S. Environmental Protection Agency (EPA) intends to initiate negotiations with potentially responsible parties (PRPs) in connection with the Ballard Mine Superfund Site (Site), located in Caribou County in the State of Idaho.

As you may know, EPA completed a remedial investigation/feasibility study (RI/FS) at the Site and expects to issue a Record of Decision (ROD) in May 2019 documenting the selection of a remedy for the Site. Negotiations will address remedial design and remedial action (RD/RA) for the selected remedy to be set forth in the ROD. Pursuant to section 126(a) of CERCLA, 42 U.S.C. § 126(a), EPA has afforded the Shoshone Bannock Tribe substantially the same treatment as a state and is working with the Shoshone Bannock Tribe as a support agency.

The State of Idaho may also be a trustee for natural resources potentially damaged by the Site. For this reason, EPA is notifying the State of Idaho of negotiations by providing a copy of this letter to the Department of Environmental Quality contact for natural resource trustee matters.

If the State of Idaho has an interest in participating in this matter, we request a response by May 15, 2019. Please have the appropriate staff contact Dave Tomten, Remedial Project Manager, at (208) 378-5763, or Nick Vidargas, Assistant Regional Counsel, at (206) 553-1460. Thank you for your attention to this matter.

Sincerely,

  
Sheryl Bilbrey *for*  
Director

cc: Lisa O'Hara, Idaho Office of the Attorney General, Environmental Quality Section  
Bruce Olenick, Regional Administrator, Idaho Department of Environmental Quality